UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1998/1064
11 November 1998

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS CIVILIAN POLICE MISSION IN HAITI

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1141 (1997) of 28 November 1997, by which the Council established the United Nations Civilian Police Mission in Haiti (MIPONUH) in order to continue to assist the Government of Haiti by supporting and contributing to the professionalization of the Haitian national police. In that resolution, the Council requested me to report on the implementation of the resolution every three months from the date of its adoption until the expiration of the mandate of MIPONUH on 30 November 1998.

2. The present report covers the activities of MIPONUH and developments in the mission area since my report of 24 August 1998 (S/1998/796). It also contains my recommendations on the role of the United Nations in Haiti after the expiration of the current mandate. Those recommendations are based on the continuing consultations of my Representative in Haiti and Head of MIPONUH, Mr. Julian Harston, with both the Haitian authorities and the group of Friends of the Secretary-General for Haiti, namely, Argentina, Canada, Chile, France, the United States of America and Venezuela.

II. POLITICAL SITUATION

3. As I informed the Security Council in my report of 24 August 1998, the consolidation of democracy and good governance in Haiti has continued to be undermined by the absence of a Prime Minister since 9 June 1997. This continuing institutional crisis has also eroded public confidence in the capacity and willingness of the authorities to solve the pressing economic and social problems facing the country.

4. The Cour supérieure des comptes et du contentieux administratif has carried out a protracted audit of the management of the Minister of Education, Mr. Jacques-Edouard Alexis, who was nominated for the post of Prime Minister on 15 July 1998 (see S/1998/796, para. 4). On 25 August 1998, the Court announced that it had given a final discharge (quitus) to Mr. Alexis for his management of the Faculty of Agronomy of the University of Haiti. Two months later, on

31 October 1998, the Court completed its review of the nominee's tenure as Minister of Education, and submitted it to Parliament. President René Préval has called an extraordinary session of Parliament for 10 November 1998 to discuss the nomination of Mr. Alexis and to ratify Haiti's agreement with the Inter-American Development Bank.

5. President Préval has recently held a number of discussions with representatives of civil society, trade unions, local authorities, the private sector and parliamentarians with a view to securing an agreement on the formation of a new Provisional Electoral Council and the holding of legislative and local elections. Despite initial optimism, little progress appears to have been made on reaching a consensus on those issues of national importance. So far, elements of the Lafanmi Lavalas party and the Anti Neo-Liberal Group remain opposed to the establishment of a new Provisional Electoral Council, arguing that the 1987 Constitution requires the establishment of a permanent electoral council.

6. In mid-September, hurricane Georges struck Haiti, in particular the central regions of the country. According to the Civil Protection Unit of the Ministry of Interior, which was coordinating emergency relief, the hurricane caused at least 229 deaths, some 343,800 people were left without shelter and some 68,000 farm animals were lost. The poorest sectors of the population were particularly affected. United Nations agencies in Haiti pooled their emergency resources to aid victims. The Haitian National Police demonstrated commendable professionalism during the crisis. Civilian police officers of MIPONUH also assisted with the relief effort.

7. A broad group of Haitian political leaders and representatives of civil society participated in the fourth meeting sponsored by the International Peace Academy outside Port-au-Prince from 28 to 31 October 1998. It was the first meeting to be held in Haiti since the start of the initiative in January 1998. The discussions focused on the economy and on justice and national reconciliation, and demonstrated the willingness of participants with diverse political views to build confidence and consensus. However, no representatives from the executive branch or official representatives of Lafanmi Lavalas were present at the working sessions.

III. DEPLOYMENT AND OPERATIONS OF THE UNITED NATIONS CIVILIAN POLICE MISSION IN HAITI

8. It will be recalled that, in establishing MIPONUH, the Security Council decided that the Mission would be composed of up to 300 civilian police officers, including a 90-strong special police unit deployed along with the necessary support personnel, to continue to assist the Government of Haiti by supporting and contributing to the professionalization of the Haitian National Police. On 9 November 1998, the civilian police element of MIPONUH included 145 officers from 11 countries (see annex I).

9. The substantive police element remains deployed in Port-au-Prince and in all nine <u>départements</u>, and the special police unit is based in the capital. MIPONUH has continued to pay special attention to training officers at the

supervisory level, guiding police officers in their professional duties and monitoring the performance of the Haitian National Police. Two civilian police officers have been assigned to the office of the Director-General of the Haitian National Police to improve administration and efficiency. The Mission has also focused on improving the capacity of the force in community policing, data-processing, public relations and maintenance of registers. The distribution of police registers, financed by the United Nations Development Programme (UNDP), to the commissariats in all the départements was recently completed with the assistance of the civilian police officers.

10. An average of some 400 police officers are trained by MIPONUH every week. With a view to increasing attendance at the training sessions, the Mission recently recommended that the Director-General issue a circular reminding police officers of the importance of their active participation. As a result of a meeting between MIPONUH representatives and the authorities at the Police Academy, MIPONUH civilian police officers visit the Academy every week to ensure continuity with the initial training provided. Relations with the Academy have improved significantly in recent months and a senior civilian police officer is assigned there.

11. Since the Haitian National Police continues to lack adequate communications and transport, the Mission lends logistical support whenever possible to the senior management of the police force and the judicial authorities to enable them to visit and inspect the commissariats and sous-commissariats in the more remote areas of the départements. It is of note also that during the emergency caused by hurricane Georges, the assistance provided by the Mission at Port-au-Prince airport and elsewhere in Haiti proved invaluable.

12. The Mission continues to coordinate its activities closely with those of UNDP and bilateral programmes, such as those of Canada, France and the United States of America. It also continues to cooperate closely with the International Civilian Mission in Haiti (MICIVIH), which monitors respect for human rights by the police force.

IV. HAITIAN NATIONAL POLICE

13. As I previously reported, the Haitian National Police has made considerable progress, and this assessment is shared by other independent observers. In particular, the new police force has strengthened its organization and operations and made some improvement as regards respect for the legal rights of detainees in police stations; and its leadership is committed to developing and strengthening the force. With the support of MIPONUH, efforts have also been made at the level of the office of the Director-General to update the official Police Development Plan for the period from 1998 to 2003. In particular, there has been a review of long-term objectives related to recruitment, training and administration. Further, there have been improvements in the logistics operations of the police force, which has successfully planned and implemented a number of infrastructure projects. In cooperation with the police project undertaken by UNDP, the logistics division of the police force has rehabilitated and constructed eight police stations in 1998 which are being equipped with the joint assistance of UNDP and MIPONUH. The MIPONUH administration has itself

managed the rehabilitation of four police stations through contractors in the southern and Artibonite départements. The Haitian National Police has developed significantly its capacity to implement public works projects, which is now comparable to that of construction companies in the private sector.

14. In October 1998, 75 police instructors graduated from the Police Academy after completion of a year-long training period conducted by Haitian and international instructors. Some 36 new recruits are currently undergoing six weeks of training as prison guards, after which they will be assigned to prisons and detention centres around the country. According to the Director-General of the Haitian National Police, plans to establish a rural police force to complement the national police have stalled because of financial constraints. Nevertheless, the Haitian National Police continues to liaise closely with local authorities to improve security in the rural areas.

15. Although progress has been made, there are problems still confronting the force. It lacks adequate resources and its investigative capacity is weak. Absenteeism among police officers also remains a problem, especially at police stations in the provinces, and there have been instances of crime, corruption and drug trafficking within its ranks.

16. The Director of the police judiciaire who resigned on 13 August 1998, claiming policy differences (see S/1998/796, para. 8), is being prosecuted for defamation and disciplinary measures have been taken against him. A successor has not yet been appointed.

17. The team of international consultants who made a formal evaluation of the UNDP project of technical assistance to the Haitian National Police (see S/1998/796, para. 20) issued its final report on 5 September 1998. The report emphasized that the training of the Haitian National Police was being conducted in an effective manner and recommended, inter alia, that the civilian police, which is playing a primordial role, should be maintained for at least another year.

V. JUSTICE SYSTEM

18. The law on judicial reform adopted on 7 April 1998 was promulgated in the official journal, Le Moniteur, on 17 August 1998. However, since 6 July 1998, when the Preparatory Commission on Legal and Judicial Reform submitted its short- and long-range strategic plan for reform, few concrete steps have been taken to implement the plan.

19. No date has yet been set for the important trial of those accused of the 1994 Raboteau massacre, and preparations for the trial have been hampered by problems with some of the judicial personnel involved. A new magistrate and a new public prosecutor have been assigned to the case. On 21 October 1998, the Minister of Justice met with the judicial authorities at Gonaives, demonstrating his support and determination to proceed with the trial.

20. In August and September 1998, the Ministry of Justice participated in formal ceremonies during which newly constructed houses were handed over to

victims of the 1991 coup d'état. Meanwhile, the non-governmental organization Fondation 30 septembre continues its year-old weekly peaceful protests at the Place des martyrs in Port-au-Prince to secure justice and reparations for the victims of the coup d'état.

21. A former magistrate, Mr. Luckner Pierre, accused of the murder of a journalist in 1982, was arrested on 16 October 1998 in Port-de-Paix on the basis of a warrant (mandat d'amener) issued by the State prosecutor on 6 February 1998. The arrest provoked several protests and demonstrations in the Port-de-Paix region.

22. On 25 August 1998, an international administration and finance specialist recruited by MICIVIH began working with the Office of the Ombudsman for a four-month period to assist in improving administration and management and seeking independent sources of funding. Regrettably, the Office of the Ombudsman is still facing financial difficulties that impede its capacity to fulfil its mandate.

VI. DEVELOPMENT ACTIVITIES

23. There has been considerable progress in fighting inflation, which has been lowered to about 8 per cent in the fourth quarter of 1998 from about 50 per cent in 1994. The reserves have increased and the stability of the gourde has been well managed. There has been some progress in the reform of public administration and exports have increased. However, the serious socio-economic difficulties arising from the political stalemate of the past 17 months are still very much in evidence. The UNDP Human Development Report published in September 1998 shows a steady decline in the human development index (HDI) for Haiti and in its position in the world HDI rankings, which dropped from a ranking of 148 in 1995 to 159 in 1998. The effects of the political crisis continue to be felt in a weakening public administration, a stalled decentralization process and a slowdown in the implementation of essential structural reforms. The International Monetary Fund reports that after accelerating to 4.4 per cent during the period 1994-1995, real GDP growth slumped to 1.1 per cent during the period 1996-1997, in part as a result of a drop in the initial surge of investments in the public sector that followed the return to constitutional rule. However, there has recently been a slight increase in GDP that may unfortunately be reversed by the effects of hurricane Georges. A decline in public investment is directly attributable to dwindling foreign aid, which finances about 80 per cent of public investments in Haiti. In 1998, disbursements are projected to drop even further as a result of the political impasse and the fact that Parliament has held up approval of all new loan agreements since the resignation of the Prime Minister in June 1997.

24. In the aftermath of hurricane Georges, UNDP, the United Nations Children's Fund (UNICEF), the World Food Programme (WFP) and the World Health Organization (WHO) provided emergency assistance to the victims in the form of food and medical assistance, and assisted the authorities in coordinating relief efforts. In addition to its continuing nationwide needs assessment activities in the area of food security, the Food and Agriculture Organization of the United Nations has put together an emergency programme of agricultural rehabilitation in the

areas most affected by the hurricane. The programme is being submitted to the United Nations system and to the donor community as part of a broader rehabilitation effort. United Nations agencies have continued to strengthen their assistance to the poorest and most vulnerable sections of the Haitian population and to assist in the rebuilding of national institutions to ensure long-term national ownership of development programmes.

25. The United Nations system has undertaken other substantive activities such as a national workshop sponsored by the United Nations Educational, Scientific and Cultural Organization, which is planned for the end of November 1988, to discuss the creation of a national centre for peace and dialogue; a nationwide vaccination campaign jointly promoted by UNICEF, WHO and interested donors for children up to five years of age and for women of child-bearing age; continued UNDP and UNICEF support to the decentralization process in order to improve the planning and delivery of social services; and preparations, under the leadership of the United Nations Population Fund, for a population census to be conducted by 2001. A WFP programme to assist 40,000 children was expected to start in early October 1998. Although implementation of the programme has been held up by delays on the part of the authorities in issuing the required letter of agreement, it is hoped that it will be launched in November 1998. Inter-agency coordination workshops continued to be held to place United Nations activities in the country within the broader framework of the reform programme of the Secretary-General. Haiti offers an excellent example of United Nations agencies working effectively and economically together.

VII. FINANCIAL IMPLICATIONS

26. It is estimated that the cost associated with the extension of MIPONUH for a period of one year, at its current strength of 300 civilian police, 74 international staff, 133 locally recruited staff and 17 United Nations Volunteers would be approximately 33.6 million United States dollars ($). That amount includes helicopter services provided as a voluntary contribution in kind valued at $2.8 million.

27. Should the Security Council decide to extend the mandate of MIPONUH, as recommended in paragraph 32 below, I would then seek the additional resources required from the General Assembly. A breakdown of the estimated financial requirements is provided by main category of expenditure, for information purposes, in annex II to the present report.

VIII. OBSERVATIONS

28. It is of paramount importance that efforts to reach a solution to the current political impasse in Haiti continue in earnest. As I have noted in my previous reports and as the Council has underlined before, the protracted political stalemate has serious consequences for the future of democracy in the country and for its economic development, and it also jeopardizes international assistance. Fully functioning institutions in accordance with the Constitution and timely democratic elections are basic requirements for stability and

progress. I therefore reiterate my appeal to the Haitian political leaders to negotiate an end to the crisis in a spirit of tolerance and compromise.

29. Almost one year after its establishment by the Security Council, MIPONUH has made substantial progress in fulfilling the mandate entrusted to it by resolution 1141 (1997). The Haitian National Police has developed a greater capacity to maintain law and order. Its officers have a visible presence on the roads and in various communities. A recent United States Information Service poll showed that 70 per cent of those polled had confidence in the Haitian National Police as an institution - a truly extraordinary figure for a country with no tradition of civilian policing. By their presence and daily example, United Nations civilian police officers have had a positive effect on the conduct of police work in Haiti.

30. However, a fully effective Haitian police force does not yet exist. The current force remains extremely fragile and still lacks the experience, professional skills, resources and cohesion that are the hallmarks of a well-established police force. Continuing instances of excessive use of force by some police officers are often a reflection of inadequate experience and discipline. The Haitian National Police is also facing the formidable and growing security challenges caused by drug trafficking and banditry and must continue to address the cases of crime and corruption that occasionally arise within its ranks. As was recently emphasized by a team of international consultants, while the investment of the international community in support of the national police has proved to be a sound one, it will turn out to be a failure if it is not sustained (see S/1998/796, para. 20, and paragraph 17 above).

31. The training of police officers should not be conducted in a legal vacuum, and establishing an effective judicial system in Haiti remains of the utmost importance. Further delays in judicial reform put at risk the progress that has been achieved by the Haitian National Police. The reform of the judicial system is also essential for the consolidation of democracy, respect for human rights, maintenance of law and order and an end to impunity.

32. For the reasons outlined above, termination at this time of the mandate of MIPONUH, whose activities constitute a very prominent part of the United Nations presence in Haiti, would jeopardize the very real achievements of the Haitian National Police and have a negative effect on the efforts of the country to reinforce its institutions. A strong police service remains a very important base on which to build democracy. I therefore share the views expressed by President Préval in his letter of 22 October 1998 (S/1998/1003) requesting that the United Nations continue to cooperate with Haiti in order to strengthen the national police. My Representative in Haiti has since discussed this issue with the senior management of the Haitian National Police, who also agree that continued international support is needed, and are of the view that a continued police mission is the most sensible way of providing this vital assistance. Accordingly, the Council may wish to authorize the extension of the mandate and concept of operations of MIPONUH for another period of one year until 30 November 1999. In addition to monitoring the field performance of the Haitian National Police, the principal tasks for the Mission during the new mandate period, if so authorized by the Council, would be to reinforce the

training already given to middle and senior cadres of the force, to reinforce the creation of a proper command structure and administration, and to strengthen the work already done on community policing. It will be essential at the same time to ensure that, on the eventual departure of MIPONUH, the central directorate of the police force has a functioning capability to manage the aid from bilateral and multilateral sources that, I hope, will continue to be offered. My Representative will coordinate the efforts of the United Nations agencies to achieve this capability and will work closely with Member States to ensure that bilateral and multilateral efforts are complementary.

33. Should the Security Council authorize an extension of MIPONUH, I am confident that the Mission will continue to fulfil its mandate to assist in the training and professionalization of the Haitian National Police satisfactorily. To do so, however, it will need both the continued support of the States that provide its human and material resources and the continued cooperation of the authorities and people of Haiti.

34. I should like to take this opportunity to thank my Representative and Head of MIPONUH, Mr. Julian Harston, and the Police Commissioner, Colonel Claude Grudé, as well as the international and local staff of the mission, for their dedication and efforts in support of United Nations activities in Haiti.

Annex I

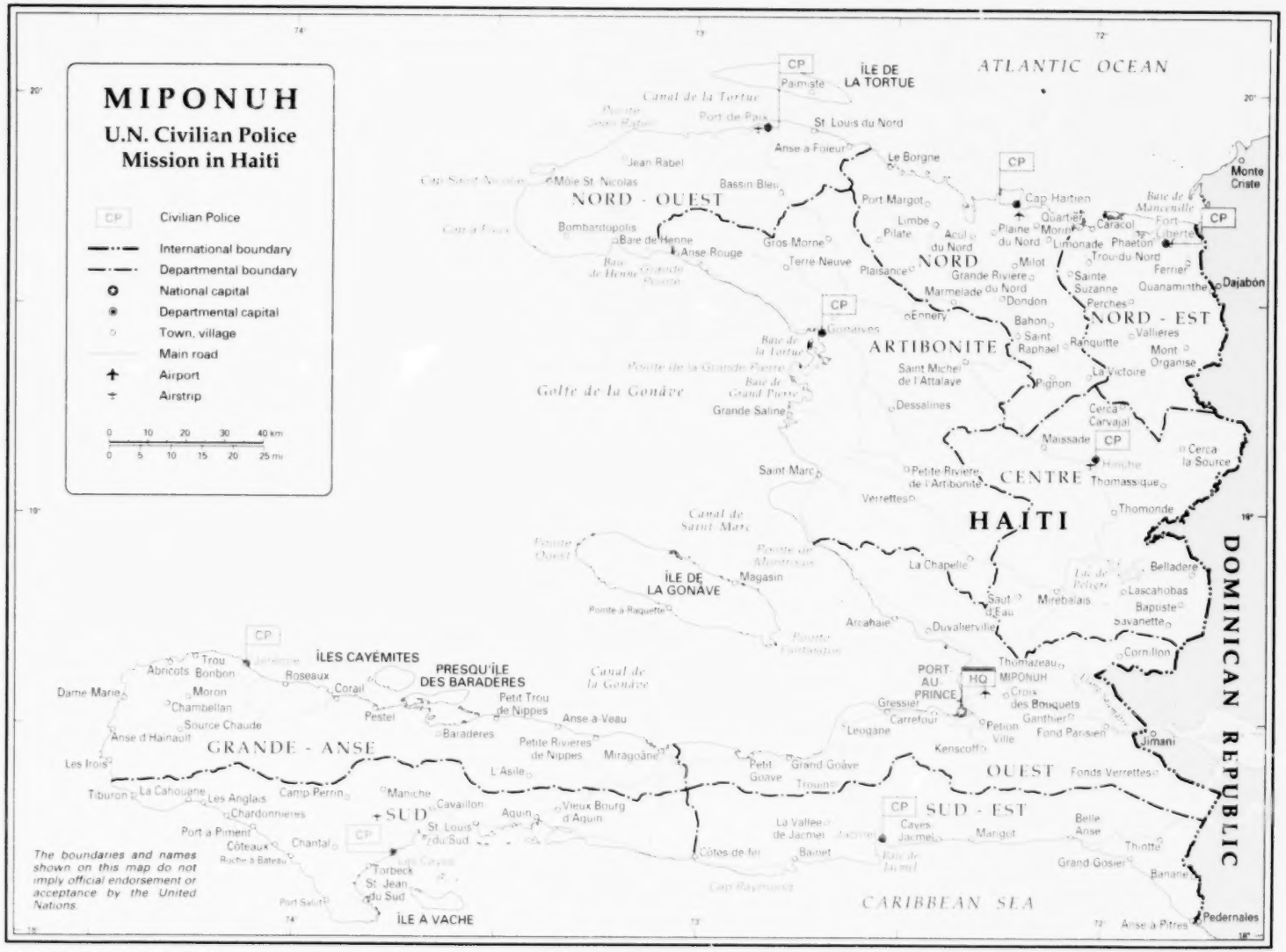
Composition of the United Nations Civilian Police Mission in Haiti as of 9 November 1998

Country	Special police unit	Civilian police
Argentina	140	6
Benin		6
Canada		24
France		36
India		2
Mali		20
Niger		5
Senegal		8
Togo		6
Tunisia		2
United States of America		30
Subtotal	140	145
Total	285	

Annex II

Cost estimates for the extension of the United Nations Civilian Police Mission in Haiti for a period of 12 months

Item	Thousands of United States dollars
Military personnel costs	--
Civilian personnel costs	20 620
Premises/accommodation	1 430
Infrastructure repairs	--
Transport operations	3 500
Air operations	2 820
Naval operations	30
Communications	410
Other equipment	1 000
Supplies and services	2 190
Election-related supplies and services	--
Public information programmes	70
Training programmes	--
Mine-clearing programmes	--
Assistance for disarmament and demobilization	--
Air and surface freight	70
United Nations Logistics Base, Brindisi	--
Support account for peacekeeping operations	--
Staff assessment	1 460
Total	33 600



Map No. 4042 Rev. 3 UNITED NATIONS
November 1998

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